



McGREGOR W. SCOTT

*United States Attorney
Eastern District of California*

NEWS RELEASE

Sacramento
501 I Street, Suite 10-100
Sacramento, CA 95814
Tel 916/554-2700
TTY 916/554-2877

Fresno
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Tel 559/497-4000
TTY 559/497-4500

Docket #: 08-CR-00047 GEB
FOR IMMEDIATE RELEASE

February 4, 2008

Contact: Kyle Reardon
<http://www.usdoj.gov/usao/cae>

SACRAMENTO MAN CHARGED WITH SOCIAL SECURITY FRAUD

Sacramento -- United States Attorney McGregor W. Scott announced today that a federal grand jury returned a four count indictment on January 31, charging ROBERT JAMES LaBELLA, 33, of Sacramento, with theft of government property and false statements in the application for Social Security benefits, violations of Title 18, United States Code, Sections 641 and 1001, and Title 42, United States Code, Section 1383.

This case is the product of an extensive, joint investigation by the Office of Inspector General, Social Security Administration.

According to Assistant United States Attorney Kyle Reardon, who is prosecuting the case, the indictment alleges that LaBELLA, through a series of false statements to the Social Security Administration about his income and assets, stole \$49,364.56 in Social Security benefits between July 1999 and July 2006. Specifically, the indictment alleges that LaBELLA lied to Social Security officials on multiple occasions about his income and resources between the years 2002 and 2006. In each of those false statements, LaBELLA is alleged to have under-reported his income and resources, resulting in a significant overpayment of Social Security disability benefits to which LaBELLA was not entitled.

The Social Security Administration oversees the general assistance program designed to provide a floor of income to persons aged, blind, or disabled who have little or no income or resources. This

program is commonly known as Title XVI. Under Title XVI, single individuals receiving benefits cannot possess resources in excess of \$2,000. If married, the resource limit rises to \$3,000.

The maximum statutory penalty for a violation of the offenses charged is 10 years imprisonment, a three year term of supervised release, a \$250,000 fine, and a \$100 special assessment. The actual sentence, however, will be determined at the discretion of the court after consideration of the Federal Sentencing Guidelines, which take into account a number of variables and any applicable statutory sentencing factors. The charges are only allegations and the defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.

###